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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,468	09/14/2005	Joan Llagostera Forns	TJA-119US	8320

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RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980

EXAMINER
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PUROL, DAVID M

ART UNIT	PAPER NUMBER
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3634

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/549,468	FORNS, JOAN LLAGOSTERA	
	<b>Examiner</b>	<b>Art Unit</b>	
	David M. Purol	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09142005</u> .  | 6) <input type="checkbox"/> Other: _____                          |

1. Claims 1-16 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with language for which its intended meaning is not understood and further contain numerous grammatical/idiomatic errors. For example: claim 1, line 3 "configuration", line 5 "the first end or the forearm", line 5 "configurations", line 10 "the cited articulation configuration", line 15 "placed around", line 16 "being incorporated between"; claim 2, line 3 "there is a ring-shaped space"; claim 3, lines 3-4 "secured to a corresponding housing incorporated on"; claim 4, line 3 "located close to, or on,", line 5 "designed to slide over them" and "located at or close to"; claim 5, line 3 "is either made of or coated with a material"; claim 6, line 2 "those first and/or second conical surfaces", line 3 "which are made from", line 4 "are incorporated into"; claim 8, line 2 "the first and/or second conical", line 3 "on the surrounding wall and/or the core", lines 3-4 "or on auxiliary parts joined to them", line 4 "the first and/or second", lines 5-6 "has either received an antifriction treatment or is coated with a material"; claim 9, lines 6-7 "said surrounding wall remaining around the core trapped between the"; claim 10, line 3 "close to said", lines 5-6 "combined with an", line 6 "which incorporates the other of the"; claim 13, line 4 "that are pressure inserted"; claim 14, line 7 "leaving the surrounding wall trapped between the".

In addition, these claims are narrative in form and replete with functional or operational language. The structure which goes to make up the device must be clearly

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and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:


(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over ES Patent No. 1,052,733 in view of ES Patent No. 1,051,839. ES Patent No. 1,052,733 discloses an articulated arm and forearm 10,11 including securing/articulation configurations 6-9,16-20 and a flexible pulling element 14. While ES Patent No. 1,052,733 does not specifically set forth particulars of the securing/articulation configurations as claimed including among other elements an elastic element, ES Patent No. 1,051,839 discloses an articulated awning arm including securing/articulation configurations 1,2a,5-9 (see figure 1) and an elastic element 3, wherein, to incorporate these teachings into the articulate arm and forearm of ES Patent No. 1,052,733 for the purpose of facilitating the movement of the awning would have been obvious to one of ordinary skill in the art.

3. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Clarke, Goldberg et al, Schane, Heiser '045 and '371, Gibson, Ackerman, Anton, Lohausen, Voss.

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4. Any inquiry concerning this communication should be directed to David M. Purol at telephone number (571) 272-6833.

  
David M Purol  
**Primary Examiner**  
**Art Unit 3634**

DMP  
(571) 272-6833  
March 16, 2007